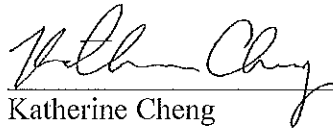


ORIGINAL

Approved:



Katherine Cheng
Assistant United States Attorney

Before:

THE HONORABLE SARAH L. CAVE
United States Magistrate Judge
Southern District of New York

23 MAG 02377

UNITED STATES OF AMERICA

v.

DONTE PRATT,

Defendant.

COMPLAINT

Violations of
18 U.S.C. §§ 641, 1028A, 3147,
and 2

COUNTY OF OFFENSE:
NEW YORK

SOUTHERN DISTRICT OF NEW YORK, ss.:

RAFAE M. SAJID, being duly sworn, deposes and says that he is a Postal Inspector with the United States Postal Inspection Service ("USPIS"), and charges as follows:

COUNT ONE**(Theft of Government Funds)**

1. On or about March 23, 2023, in the Southern District of New York and elsewhere, DONTE PRATT, the defendant, while released under Chapter 207 of Title 18 of the United States Code, did knowingly receive, conceal, and retain a record, voucher, money, and thing of value of the United States and a department and agency thereof, to wit, the United States Department of Treasury, which exceeded the sum of \$1,000, and received, concealed, and retained the same with intent to convert it to his use and gain, knowing it to have been embezzled, stolen, purloined, and converted, to wit, PRATT obtained approximately 60 United States Department of Treasury checks made out to other individuals.

(Title 18, United States Code, Sections 641, 3147(1), and 2.)

COUNT TWO**(Aggravated Identity Theft)**

2. On or about March 23, 2023, in the Southern District of New York and elsewhere, DONTE PRATT, the defendant, while released under Chapter 207 of Title 18 of the United States Code, knowingly transferred, possessed, and used, without lawful authority, a means of identification of another person, during and in relation to a felony violation enumerated in Title 18 United States Code, Section 1028A(c), to wit, PRATT possessed United States Department of Treasury checks containing the names and addresses of other persons during and in relation to the theft of government funds violation charged in Count One of this Complaint.

(Title 18, United States Code, Sections 1028A(a)(1), 1028A(b), 3147(1), and 2.)

The bases for my knowledge and for the foregoing charges are, in part, as follows:

3. I am a Postal Inspector with the United States Postal Inspection Service, where I have been employed for approximately one year and three months. I have been personally involved in the investigation of this matter, and I base this affidavit on my experience as a Postal Inspector, my conversations with other law enforcement officers, and my examination of various documents, reports, records, and video footage. Because this affidavit is being submitted for the limited purpose of demonstrating probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

Prior Charges Against PRATT and His Release on Bail

4. On March 4, 2023, DONTE PRATT, the defendant, was charged by Complaint 23 Mag. 1736, with theft of government funds, in violation of 18 U.S.C. § 641, and aggravated identity theft, in violation of 18 U.S.C. § 1028A, in connection with his possession of approximately 100 stolen United States Treasury checks totaling roughly half a million dollars. A copy of that Complaint is attached hereto as Exhibit 1. On March 8, 2023, PRATT was presented before the Honorable Gabriel W. Gorenstein, United States Magistrate Judge for the Southern District of New York and was released on GPS monitoring.

PRATT's Criminal Conduct While on Pretrial Release

5. Based on my participation in the investigation of this matter, my conversations with officers from the New York Police Department ("NYPD") and USPI, my review of documents and reports from those agencies, and my review of video footage, I have learned, in substance and in part, the following:

a. On or about March 23, 2023, at approximately 1:00 p.m., several uniformed NYPD officers were driving in a marked police car in the vicinity of Fifth Avenue and 102nd Street in Manhattan when they observed a black Mercedes vehicle (the "Subject Vehicle") fail to stop for a school bus that had red flashing lights and a stop sign displayed. The officers turned on the lights and sirens of their police car and, over the loudspeaker, directed the Subject Vehicle to pull over.

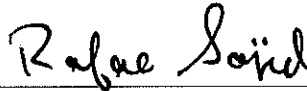
b. Based on my review of body camera footage and my conversations with law enforcement officers, the Subject Vehicle did not pull over as directed. Instead, the Subject Vehicle maneuvered around another vehicle, continued to drive past multiple intersections, and scraped another car, before being blocked by a bus and heavy traffic. At that point, the driver of the vehicle, who was later identified, as explained below, to be DONTE PRATT, the defendant, opened the door and exited the car while holding a black umbrella. However, before he could flee on foot, NYPD officers approached him. PRATT put the black umbrella back into the Subject Vehicle and then was placed under arrest.

c. The officers searched PRATT incident to arrest and recovered two cellphones and approximately \$1,300 in cash. In addition, officers found stuffed inside the black umbrella located in the driver's seat of the Subject Vehicle approximately 60 United States Department of Treasury checks containing the names and addresses of other individuals in Manhattan and the Bronx. Officers also recovered from the Subject Vehicle a Florida driver's license bearing PRATT's name and photograph.

d. From my conversations with law enforcement, I learned that the checks recovered totaled approximately \$120,000. In addition, I understand that NYPD officers spoke to at least one of the individuals whose name was on the checks and learned that the individual had been expecting, but had not yet received in the mail, the check from the United States Treasury. In other words, preliminary indications suggest that the checks recovered from the search incident to PRATT's arrest appeared to be genuine and reflect the names and addresses of real individuals.

e. After PRATT was arrested and brought to the NYPD precinct, his identity was confirmed through, among other means, his own statements providing his name as "Donte Pratt" and the date of birth that matches PRATT's date of birth in law enforcement databases. In addition, at the time of PRATT's arrest he was wearing a GPS monitor on his ankle, pursuant to the conditions of his pretrial release on the charges filed on March 4, 2023.

WHEREFORE, I respectfully request that DONTE PRATT, the defendant, be imprisoned or bailed, as the case may be.



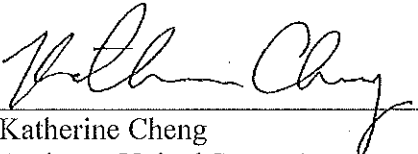
RAFAE M. SAJID
Postal Inspector
United States Postal Inspection Service

Sworn to before me this 24th day of March, 2023.



THE HONORABLE SARAH L. CAVE
United States Magistrate Judge
Southern District of New York

Exhibit 1

Approved: 
Katherine Cheng
Assistant United States Attorney

Before: THE HONORABLE JAMES L. COTT
Chief United States Magistrate Judge
Southern District of New York

23 MAG 1736

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:
UNITED STATES OF AMERICA
:
- v. -
:
DONTE PRATT,
:
Defendant.
:
----- X

SEALED COMPLAINT

Violations of
18 U.S.C. §§ 641, 1028A
and 2

COUNTY OF OFFENSE:
BRONX

SOUTHERN DISTRICT OF NEW YORK, ss.:

ANTHONY GINYARD, being duly sworn, deposes and says that he is a Special Agent with the Internal Revenue Service ("IRS"), and charges as follows:

COUNT ONE
(Theft of Government Funds)

1. On or about March 3, 2023, in the Southern District of New York and elsewhere, DONTE PRATT, the defendant, did knowingly receive, conceal, and retain a record, voucher, money, and thing of value of the United States and a department and agency thereof, to wit, the United States Department of Treasury, which exceeded the sum of \$1,000, and received, concealed, and retained the same with intent to convert it to his use and gain, knowing it to have been embezzled, stolen, purloined, and converted, to wit, PRATT obtained approximately 100 United States Department of Treasury checks made out to other individuals, that were stolen from the United States Postal Service.

(Title 18, United States Code, Sections 641 and 2.)

COUNT TWO
(Aggravated Identity Theft)

2. On or about March 3, 2023, in the Southern District of New York and elsewhere, DONTE PRATT, the defendant, knowingly transferred, possessed, and used, without lawful authority, a means of identification of another person, during and in relation to a felony violation enumerated in Title 18 United States Code, Section 1028A(c), to wit, PRATT possessed United States Department of Treasury checks containing the names and addresses of other persons

during and in relation to the theft of government funds violation charged in Count Two of this Complaint.

(Title 18, United States Code, Sections 1028A(a)(1), 1028A(b), and 2.)

The bases for my knowledge and for the foregoing charges are, in part, as follows:

3. I am a Special Agent with the United States Internal Revenue Service, Criminal Investigation unit, where I have been employed for approximately one year. I have been personally involved in the investigation of this matter, and I base this affidavit on my experience as a Special Agent, my conversations with other law enforcement officers and individuals who provided information for the investigation, and my examination of various documents, reports, records, photographs, and video footage. Because this affidavit is being submitted for the limited purpose of demonstrating probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

4. Based on my participation in the investigation of this matter, my conversations with officers from IRS, the New York City Police Department (“NYPD”), and United States Postal Inspection Service (“USPIS”), my review of documents and reports from those agencies, and my review of video footage and photographs, I have learned, in substance and in part, the following:

a. On or about March 3, 2023, at approximately 5:00 p.m., several NYPD officers were driving in the vicinity of the Betances Houses, a housing project familiar to law enforcement due to an increased volume of violence, narcotics trafficking, and shootings in the area. Based on my conversations with the officers, as they drove in the area, they saw an individual (“Suspect-1”) wearing a black ski mask, who had a bulge in his pocket area and appeared to be tucking an object on his side.

b. I understand from speaking with the officers that they parked their vehicle to conduct an investigative stop of Suspect-1 because they believed that Suspect-1 may have been tucking a firearm into his side. When the officers opened the door of their vehicle to approach Suspect-1, Suspect-1 fled, and the officers chased him on foot.

c. After a brief chase, the officers apprehended and arrested Suspect-1, who was identified to be DONTE PRATT, the defendant.¹ PRATT was arrested with approximately \$950 in cash, along with a cellular phone.

¹ Based on my review of body camera footage, I learned that upon arrest, the defendant had an active phone call with an unspecified individual who had referred to the defendant as Donte. Furthermore, when the defendant was put inside the police car, he gave his name to the officer as DONTE PRATT. I have also reviewed law enforcement photographs of PRATT from prior arrests, and PRATT appears to be the individual I participated in apprehending on or about March 3, 2023.

d. During the foot chase, and consistent with body camera footage that I have reviewed, officers observed Suspect-1 throw a brown bag over a fence while he was running. The officers recovered the bag and found dozens of United States Department of Treasury checks addressed to multiple different individuals from all over the Bronx, New York. Photographs of the bag, obtained from body camera footage of the officers during the chase, is below.



e. In connection with PRATT's arrest and processing, law enforcement uncovered additional Treasury checks inside the vest that PRATT had been wearing at the time of arrest.

f. In total, law enforcement recovered approximately 100 checks worth approximately half a million dollars from the brown bag and from PRATT's vest. Based on a preliminary analysis of a small sample of the seized checks that I conducted, those checks appear to be genuine United States Department of Treasury checks, with the names and addresses of real individuals.

g. Based on my conversations with law enforcement and review of records, during PRATT's Mirandized, post-arrest interview, PRATT stated that on or about March 1, 2023, he and an associate ("Suspect-2") went to a residence in Manhattan where another individual ("Suspect-3") was selling stolen checks. PRATT and Suspect-2 robbed Suspect-3 of those checks, and then PRATT and Suspect-2 split the checks in half between the two of them. PRATT stated that this was how he obtained the stolen checks recovered in connection with his arrest on March 3, 2023.

h. PRATT also stated during this Mirandized post-arrest interview that he had used the cellular phone he was arrested with to sell the stolen checks for a couple hundred dollars in cash for each check using, among other things, the app Telegram and text messages to communicate with the buyers of the stolen checks.

WHEREFORE, I respectfully request that a warrant be issued for the arrest of DONTÉ PRATT, the defendant, and that he be arrested, and imprisoned or bailed, as the case may be.

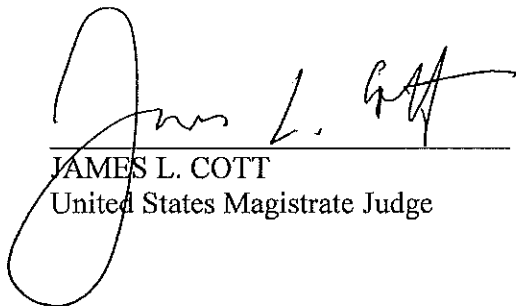
/s/ Anthony Ginyard, by the Court, with permission

ANTHONY GINYARD

Special Agent

Internal Revenue Service, Criminal Investigation

Sworn to me through the transmission of
this Complaint by reliable electronic
means (telephone), this 4th day of March, 2023.



A handwritten signature in black ink, appearing to read "James L. Cott", is written over a horizontal line. Below the line, the name "JAMES L. COTT" and the title "United States Magistrate Judge" are printed in a serif font.

JAMES L. COTT
United States Magistrate Judge